

# Exhibit 1



# THE VORA LAW FIRM PC

Nilay U. Vora

[nvora@voralaw.com](mailto:nvora@voralaw.com)

June 7, 2022

**VIA EMAIL**

Jeremy B. Merkelson

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Michael O'Leary

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Jackson Walker LLP

**Re: Shawn Joseph v. Genesis Coin, Inc., et al., Cause No. D-1-GN-22-002321 (Tex. - Travis County Dist. Ct.)**

Dear Counsel,

We write in response to the letter from Defendants dated June 1, 2022 (the "June 1, 2022 Letter"). First, we appreciate your confirmation that Holland & Hart serves as counsel for all Respondents. We assume that Stephen Calhoun and Scott Weatherford of Jackson Walker LLP also serve as counsel to Respondents, since they were copied on the June 1, 2022 Letter, and will include them in communications and service for this matter unless we are advised otherwise. If that is incorrect or if different interests are represented by Jackson Walker LLP, we ask that you advise us so we may proceed accordingly.

Prior to our receipt of the June 1, 2022 Letter, we had already instructed our process server to complete service on Respondents. Genesis Coin, Inc. has been served through its registered agent for service of process. We have attached for you the return on the service of process for your convenience. We obviously are willing to work with you in relation to extensions of the date for a response to the Petition to coordinate given that we have not served the other Respondents as of this date.

With respect to your desire to remove this matter to federal court, would you please provide the basis for the removal? We do not understand there to be diversity jurisdiction nor do we believe that subject matter jurisdiction otherwise exists in federal court. We would appreciate your sharing of information relating to the basis for your anticipated removal to federal court so we may evaluate how we can work

Jeremy B. Merkelson, et al.  
June 7, 2022

together to coordinate the logistics of amendments to the Petition, service, removal, and any potential motion to remand.

We can confirm that Mitch Verboncoeur of McKool Smith is no longer acting as counsel for Mr. Joseph at this time. We remain in the process of obtaining the file from McKool Smith and ask your patience in that regard as we proceed to the extent that communications between McKool Smith and Respondents' counsel are at issue.

To that end, you have indicated in the June 1, 2022 Letter that Respondents "asked for Mr. Joseph to return a specified electronic device belonging to the Defendants." It is our understanding that this matter had been resolved during correspondence with Mr. Verboncoeur as to the "specified electronic device" that Respondents allege "belong[s] to the Defendants." Is that not the case? If not, can you please advise what the nature of the dispute that remains is?

A further reference is made in the June 1, 2022 Letter from Respondents to an alleged assertion by McKool Smith that Mr. Joseph "was no longer in possession of that device or any proprietary data of Defendants." The letter asks if we "believe Mr. Verboncoeur's representations are still accurate," without stating the reasons that Respondents believe that these alleged representations by Mr. Verboncoeur might not be accurate.

The term "proprietary data" in this context is nebulous, so we would like to understand the precise nature of the assertion. Given Mr. Rose's assertions that injunctive relief would be sought, we must ask, what is the precise nature of the "proprietary data" that is being described? Does the term "proprietary data" refer to the Github code for all of Respondents' software development that was shared with Mr. Joseph for which Respondents have already presumably revoked access? Are there other matters of "proprietary data" that Respondents believe are at issue?

We appreciate your attempts to coordinate a resolution to the matters of service, responses, removal, and any ancillary issues. We ask for these clarifications so that we may understand the basis of Respondents' concerns. Should you wish to discuss, please advise us of your availability this week.

Sincerely,

*/s/ Nilay U. Vora*

NILAY U. VORA  
The Vora Law Firm, P.C.  
[nvora@voralaw.com](mailto:nvora@voralaw.com)

Attachment: Return/Proof of Service of Petition

Jeremy B. Merkelson, et al.  
June 7, 2022

CC:

Marcus L. Fifer ([marcus@fifer.law](mailto:marcus@fifer.law))

Jeffrey A. Atteberry ([jatteberry@voralaw.com](mailto:jatteberry@voralaw.com))

William M. Odom ([will@voralaw.com](mailto:will@voralaw.com))

## CITATION

THE STATE OF TEXAS

CAUSE NO. D-1-GN-22-002321

SHAWN JOSEPH

, PLAINTIFF(S)

vs.

AQUARIUS MANAGEMENT CORP; GENESIS COIN INC; EVAN ROSE; GENESIS SERVICES INC

, DEFENDANT(S)

TO: **GENESIS COIN INC**  
**c/o REGISTERED AGENTS INC.**  
**5900 BALCONES DR STE 100**  
**AUSTIN TX 78731**

Defendant, in the above styled and numbered cause:

**YOU HAVE BEEN SUED.** You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at [TexasLawHelp.org](http://TexasLawHelp.org).

Attached is a copy of the **PLAINTIFF'S ORIGINAL PETITION** in the above styled and numbered cause, which was filed on **May 19, 2022** in the **201st District Court** of Travis County, Austin, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office, **May 31, 2022**

REQUESTED BY:  
**FIFER, MARCUS LAMONE**  
**PO BOX 6501**  
**AUSTIN, TX 78762-6501**



*[Signature]*  
 Velva L. Price  
 Travis County District Clerk  
 Travis County Courthouse  
 1000 Guadalupe, P.O. Box 679003 (78767)  
 Austin, TX 78701

PREPARED BY: **Adrian Rodriguez**

## RETURN

Came to hand on the 1st day of June, 2022 at 3:00 o'clock P M., and executed at 5900 Balcones Dr Suite 100, Austin, Tx 78731 within the County of Travis on the 2nd day of June, 2022, at 12:00 o'clock P M., by delivering to the within named Genesis Coin Inc, each in person, a true copy of this citation together with the **PLAINTIFF'S ORIGINAL PETITION** accompanying pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of citation the date of delivery.

Service Fee: \$ 6.00

Sworn to and subscribed before me this the

2 day of June, 2022.

*[Signature]*  
 Notary Public, THE STATE OF TEXAS  
 D-1-GN-22-002321

*[Signature]*  
 Sheriff / Constable / Authorized Person

By:

*[Signature]*  
 Printed Name of Server

Travis

County, Texas

SERVICE FEE NOT PAID

